

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Claims 1-4 are currently being prosecuted in this application. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Entry of Amendment

It is respectfully requested that the present Amendment should be entered into the official file in view of the fact that the amendments to the claims automatically place the application in condition for allowance. Alternatively, if the Examiner does not agree that the application is in condition for allowance, it is respectfully requested that the present Amendment should be entered for the purpose of appeal. The present Amendment reduces the numbers of claims under consideration. Furthermore, no new issues are presented since amended claim 1 only incorporates the limitations previously found in claim 5. Thus, all of the features being claimed have previously been presented to the Examiner.

Rejection under 35 U.S.C. § 103

The claims 1-5 stand rejected under 35 U.S.C. § 103 as being obvious over Hoffman et al. (U.S. Patent 5,742,233) in combination with either Mondejar et al.

(U.S. Patent 6,154,130) or Tuchman (U.S. Patent 4,782,541). This rejection is respectfully traversed.

In remark to claim 5, this claim has been cancelled rendering this part of the rejection moot.

The Examiner states that Hoffman et al. shows a rescue system having a tag 20 which is a data carrier and a reader/writer that communicates with the tag. The tag includes a microphone/speaker 32 operated by information from the reader/writer.

Mondejar et al. teaches a security system for use in rooms to assist in evacuation during an emergency. This system has a circuit including an emergency transponder and motion sensor.

Tuchman discloses a bed which protects the sleeper during an earthquake and may include an emergency transponder to use by a person awaiting rescue. The Examiner feels that it would have been obvious for one skilled in the art to dispose the tag of Hoffman et al. in a building as suggested by either Mondejar et al. or Tuchman. Applicants submit that the present claims are not obvious over this combination of references.

By way of the present Amendment, Applicants have added limitations previously found in claim 5 to claim 1. Thus, claim 1 now describes the support system as for use in an emergency rescue. Further, the tag is now described as being placed in a structure prior to the emergency and being inactive prior to the emergency. Also, the data carrier is stated to be disposed at a fixed predetermined

position. The reader/writer is now described as being mobile and communicates with the tag in an emergency situation. The claim also describes that communication is made possible between trapped people and the reader/writer in an emergency situation by the presence of the tags.

The Hoffman et al reference shows a signaling unit 20 which is carried on the person rather than being provided in a structure. Also, Hoffman et al. shows a communication system which is not mobile. It also is not designed to make communication possible between trapped people and the reader/writer in an emergency. The Examiner relies on Mondejar et al. or Tuchman to teach the concept of leaving the tag in a structure. However, Mondejar et al. shows a portable system which is mounted on a door knob rather than being fixed at predetermined positions in a structure. Also, Mondejar et al. is not designed specifically for making communication possible between trapped people and the reader/writer. Likewise, Tuchman may teach the idea of having an emergency transponder mounted on the bed. However, this does not teach mounting the tags in the structure at a fixed position. Also, neither of the cited references teach the concept of a mobile reader/writer. Mondejar et al. also does not discuss communication between trapped people and the reader/writer. Further, claim 1 is allowable over any combination of the cited references due to the presence of the tags in the structure. Thus, none of the references teach the concept that the specific mounting of the tags in the structure in advance would allow the trapped person to communicate because the tags would be present in the rubble on the

building. For these reasons, Applicants submit that claim 1 is allowable over any combination of these references.

Claims 2-4 depend from claim 1 and as such are also considered to be allowable. In addition, these claims recite other features of the invention which make them additionally allowable. Thus, claim 2 describes the fact that the tag is started up in response to a signal from an outside source. Claims 3 and 4 describe a plurality of tags are disposed and the predetermined device detects the presence of humans. Accordingly, these claims are considered to be allowable.

Conclusion

In view of the above Remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No.27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a three-month extension of time for filing a reply in connection with the

Response to Office Action of September 21, 2004

Appl. No. 09/851,986

Docket No. 1794-0136P

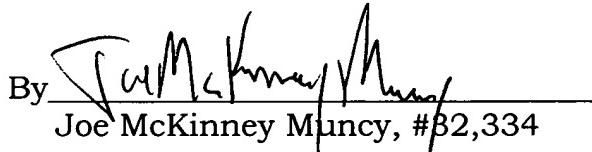
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present application. The required fee of \$1020 is attached to the Notice of Appeal being filed simultaneously herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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